

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

ANTHONY WALLACE,)
)
Plaintiff,)
)
v.) No.: 2:17-CV-159-TAV-MCLC
)
LIEUTENANT BAILEY,)
MS. STILES and)
MS. HATHAWAY,)
)
Defendants.)

MEMORANDUM OPINION AND ORDER

This is a pro se prisoner's civil rights action brought under 42 U.S.C. § 1983 by Anthony Wallace ("Plaintiff"). Upon initial review of Plaintiff's complaint, the Court entered a Memorandum and Order dismissing a number of claims and defendants but permitting an Eighth Amendment claim to proceed against the above-named defendants [Doc. 4]. The Memorandum and Order directed the Clerk's Office to send Plaintiff service packets (a blank summons and USM Form 285) for the three remaining defendants and ordered Plaintiff to complete those service packets and return them to the Clerk's office within twenty (20) days of receipt of the Memorandum and Order [*Id.* p. 22]. Plaintiff was forewarned that the failure to return the completed service packets within the time required could jeopardize his prosecution of this action [*Id.*].

The Court's Memorandum and Order were entered on September 28, 2018, and the docket indicates that a copy of the Memorandum and Order, along with the service packets, were mailed to Plaintiff on that date at his last reported address [Doc. 4]. More than twenty

days now have passed and, as of the date of this Order, the service packets have not been completed or returned.

Accordingly, it is **ORDERED** that Plaintiff shall **SHOW CAUSE**, in writing, within **fifteen (15) days** of receipt of this Order as to why his case against the remaining Defendants should not be dismissed for want of prosecution and for failure to comply with this Court's previous Order. Plaintiff is **NOTIFIED** that if he fails to timely comply with this Order this action will be dismissed with prejudice.

ENTER:

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE